

United States District Court

United States District Court
Southern District of Texas
FILED

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

MAR 12 2014

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Avilino Moreno-Gutierrez

A021 584 955

Case Number: M-14-0489-M

AKA: Avelino Moreno-Gutierrez
Avilino Gutierrez-Moreno

IAE YOB: 1952

the United Mexican States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about March 11, 2014 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to the United Mexican States in pursuance of law, and thereafter was found near Hidalgo, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Avilino Moreno-Gutierrez was encountered by Border Patrol Agents near Hidalgo, Texas, on March 11, 2014. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on March 11, 2014, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States, for the second (2nd) time, on March 29, 2010, through Del Rio, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On January 4, 2007, the defendant was convicted of 8 USC 1326 Re-Entry of Deported Aliens and was sentenced to fifty-one (51) months confinement and three (3) years supervised release term.

Continued on the attached sheet and made a part of this complaint:

Approved:


Sworn to before me and subscribed in my presence,

March 12, 2014

Peter E. Ormsby, U.S. Magistrate Judge
Name and Title of Judicial Officer

☐ Yes ☒ No

Signature of Complainant

Michael Chandler Senior Patrol Agent

Signature of Judicial Officer